

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED NOV 15 2016

ORIS ALVIN BARNER, JR. : CIVIL ACTION
: :
: :
v. : :
: :
: :
THERESA DELBASO, et al. : NO. 16-cv-2823

ORDER

AND NOW, this 15th day of November 2016, after careful and independent consideration of Oris Alvin Barner, Jr.'s Petition under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (Doc. 1), review of the Report and Recommendation by United States Magistrate Judge David R. Strawbridge (Doc. 7), and Petitioner's Objections to the Report and Recommendation (Doc. 9), it is ORDERED as follows:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus is DISMISSED WITH PREJUDICE.
3. A certificate of appealability shall not issue because reasonable jurists would not debate the correctness of this Court's ruling. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000).
4. The Clerk of Court is directed to mark this case closed for statistical purposes.

BY THE COURT:

/s/ Legrome D. Davis

Legrome D. Davis, J.

ENTERED

NOV 15 2016

CLERK OF COURT